

REMARKS

The Applicant wishes to thank the Examiner for his analysis of the pending claims and also for his time during the interview of March 12, 2008 and for the Interview Summary of March 26, 2008. Claims 1, 2, 4-41, 46, 47, 49-86, and 91-93 are pending in the application and all stand rejected.

The final office action of January 29, 2008 has rejected claims 1, 2, 4-41, 46, 47, 49-86, and 91-93 as being unpatentable under 35 U.S.C 103(a) over U.S. Patent 6,556,974 to D'Alessandro in view of U.S. Patent No. 6,085,201 to Tso.

These rejections were addressed during the examiner interview held on March 21, 2008 and telephone conversation of April 7, 2008 between Examiner Romain Jeanty and Applicant's undersigned representatives John Stickevers and Jakub Michna. Below is a description of the substance of the interview pursuant to MPEP 713.04.

1) Telephone Conversation of April 7, 2008

During the telephone conversation, the Examiner agreed to consider amending the interview summary of March 26, 2008 with the following summary provided by the Applicant.

2) Summary of Examiner Interview of March 12, 2008

During the examiner interview, the Applicant's representatives argued that:

- 1) D'Alessandro and Tso fail to teach routing of ideas to business management based upon the entries of a user's response.
- 2) The combination of D'Alessandro and Tso would not result in the claimed invention.

The Examiner recognized that, although he did not previously understand Applicant's arguments, he now understood the arguments and asked the Applicant's representatives to submit a formal response, so that he could reconsider the arguments. Further, Examiner Jeanty agreed to consider withdrawing the finality of the rejection on the condition that the Applicant submits a formal response to the final office action. The Applicant's formal response is presented below.

3) Formal Response

Claim 1 is directed to a computer implemented method for submitting business improvement ideas. As defined by the claim, the method requires the presentation of a series of information gathering templates to a user. At least one of the templates presented to the user is selected based on the type of suggestion characterized by the user. Once the user enters his submission into the templates, the network routing of the submission to business management is determined based upon the user's entries.

The Examiner's new obviousness rejection fails because neither the D'Alessandro reference nor the Tso reference teach or suggest "determining the network routing of data from [a] structured response to business management based upon entries of the response," as required by the claims. The Applicant's response of November 2, 2007 makes this distinction clear with regard to the D'Alessandro reference:

A second distinct feature of the present invention as claimed in the independent claims is that after completing the series of templates the system determines the routing of the idea to business management. Routing requires a decision to be made based on a number of options. The content of the user's submission is the basis for determining the one or more business managers that receive the user's submission. Thus, there are more than one possible end points (business manager) for receiving the user's

suggestion. In the Alessandro patent, the survey data 90 is analyzed in an analysis module 140 for the organization, resulting in a data set, such as that shown in Fig. 5. No routing decision is made for routing the survey information submitted by a user to a member of the business management. The analyzed data is collected in a database and may be presented to the organization as indicated in Fig. 1 by the arrow pointing to the organization 10. *See also Col. 6 lines 1-2.* However, no routing is contemplated by this arrow.

The office action suggests that the Alessandro patent teaches determining network routing of data to business management based upon entries within the structured response as shown at *col. 5 lines 44-59*. Applicants respectfully disagrees. In this section of the Alessandro patent, a data gathering interface is described which may incorporate a number of mediums such as wide-area-networks and the Internet. Thus, a user can enter information using, for example, HTML, and the entries will be transmitted through a WAN or the Internet to the database 100. *See Col. 5 lines 60-61.* The entered data is never routed to business management and further, no routing decision is made based upon the content of the structured response.

Response of November 2, 2007, pages 13-14.

Tso does not solve D'Alessandro's deficiency. Tso teaches a template engine that generates a context sensitive text message corresponding to a received input text string. *See abstract.* Based on an input text string received by the user, the system of Tso selects one or more template messages that are contextually appropriate as a response to the input string. *See abstract.* The user can pick one of the selected templates and send it as a responsive text message. *See abstract.* Tso does not disclose or contemplate routing of data to business management based upon a user's entries. Thus, the present invention is

distinguishable from the combination of D'Alessandro and Tso for at least the reason that routing ideas to management based upon a user's entries is not taught by either reference.

A second reason why the Examiner's obviousness rejection fails is because the combination of the cited references would not result in the claimed invention.

D'Alessandro teaches an automated employee survey system. *Col. 2, lines 60-64*. The purpose of the survey system is to measure a predetermined set of business performance criteria. *Id.* The performance criteria are measured using a predetermined set of questions. *Col. 3, line 31-33*. There is no teaching or suggestion in D'Alessandro that this set of predetermined questions is modified or that templates are generated based on employee responses.

Although Tso does teach generating templates, as explained above, the purpose of the templates is to provide a context sensitive message, or answer, in response to an input string. Thus, the combination of D'Alessandro and Tso would result in a survey system that selects a series of template answers for a user in response to predetermined questions, and not a system where the templates presented to the user are selected according to the type of suggestion categorized by the user, as required by the claims. The combination of D'Alessandro and Tso is focused on providing template answers to predetermined questions, whereas the focus of the claims is in providing template questions.

Thus, independent claim 1 distinguishes the D'Alessandro and Tso combination. Independent claims 46 and 91 define similar methods and, thus, also distinguish the Alessandro and Tso combination. Claims 2, 4-41, 47, 49-86, 92, and 93 depend from one of the allowable independent claims and, thus, are allowable for the same reasons.

Appl. No. 10/044,779
Response dated April 10, 2008
Reply to office action dated January 31, 2008

The Applicant believes that all of the claim rejections have been addressed and that the application is now in condition for allowance. Reconsideration of the claims and issuance of a notice of allowance are respectfully requested. If any matter arises which may expedite issuance of a notice of allowance, the Examiner is requested to call the undersigned, at the telephone number given below. If any additional fees are required for the timely consideration of this application, please charge deposit account number 19-4972.

Respectfully submitted,

/Jakub M. Michna No. 61,033/
Jakub M. Michna
Registration No. 61,033
Attorney for Applicant

BROMBERG & SUNSTEIN LLP
125 Summer Street
Boston MA 02110-1618
Tel: 617 443 9292
Fax: 617 443 0004
02588/00102 831428.1